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Written statement* submitted by the Organization for Defending Victims of Violence, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[25 August 2015]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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The UPR mechanism

We share the common view that UPR mechanism is adding value to the HRC mandate in promotion of human rights however, attempts must be made to enhance the effectiveness of the process.

Fortunately the majority of UN member States are committed to the mechanism and a study conducted on the UPR process[1] has found that 48% of recommendations by Member States have triggered actions by Governments three years after the first review.

However, in order to enhance the effectiveness of the mechanism a number of points need to be observed:

During the reviews, universal coverage and equal treatment of all States and must be ensured and reviews should be conducted in an objective, transparent, non-selective, non-confrontational and non-politicized manner.

During the review process, principles of universality, equality and constructive cooperation should be observed, so that the process can present significant contributions to the human rights agenda of the countries. According to the principles of universality and equality, similar cases of human rights violations in different countries should receive equal attention. States should not be subjected to significant, and often politically motivated, scrutiny for their human right issues.

Politicization of human rights issues should be seriously avoided. It is important that this process, which provides the opportunity for interstate dialogue, is not used for politicized intentions. All stakeholders including the civil society organizations are encouraged to avoid politicization of the UPR mechanism.

While offering recommendations to the States attempts must be made to treat them non-selectively because, the mechanism has been defined to address the human rights situation of all Member States in a non-selective and constructive manner.

To further strengthen the UPR process, possible areas for capacity building should be identified in the State under review, but still mindful of each State's right to self-determination and consistent with the principles set forth under General Assembly resolution 60/251.

Another point that should be mentioned is that, apart from observing the principles of equality, in presenting recommendations, the quality of the given recommendations is also important.

According to the figures, by the end of the second cycle, over 50'000 recommendations will have been made at the UPR.[2] Some experts of the field consider the number too high, and there has been repeated calls to decrease the number of recommendations made by each Recommending State. But, limiting the number of recommendations could be detrimental to the UPR process for two reasons: Firstly, if fewer recommendations are made, important issues will be left aside. Only mainstream issues will be raised at the UPR. Secondly, having many similar on a given issue demonstrates how important that issue is and does not overload the State under Review.

The increase in the number of recommendations should not lead to a decrease in the number of quality recommendations. One of the existing problems of the UPR mechanism is the proportion of weak, unspecific recommendations offered to the States.

In order to support the UPR mechanism to reach its predetermined objectives, Organization for Defending Victims of Violence (ODVV) urges the UN member States and the civil society actors not to follow political intentions while making recommendations.

Also, ODVV calls on all States and the civil society to make an effort to improve the quality, specificity, practicality and measurability, of the recommendations they are offering to the State under review, so as to better guide the implementation process.

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[1] . http://www.upr-info.org/sites/default/files/general-document/pdf/2014_beyond_promises.pdf

[2] .
https://extranet.ohchr.org/sites/hrc/HRCSessions/RegularSessions/28thSession/OralStatements/1_Joint%20statement_UPR%20Info_GD_43.pdf